

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.20090(e) CPNI Certification for 2007

Date filed: 2/29/08

Name of company covered by this certification: W. Stephen Cannon, Esq., Management Trustee of Certain Assets and Spectrum Holdings In Four Cellular Market Areas Divested In Connection with Approval of AT&T/Dobson Merger

Form 499 Filer ID: N/A

Name of signatory: Jim Horsburgh

Title of signatory: Chief Operating Officer


I, Jim Horsburgh, Chief Operating Officer for the Management Trust that operates certain assets and spectrum holdings for four cellular market areas divested to the Management Trust in connection with the Commission's approval of the AT&T/Dobson merger (the "Trust Assets"), certify that, and an officer and acting as an agent of the Trust, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules. See attached statement.

The Trust has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers), against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed

A handwritten signature in black ink, appearing to be "J. Horsburgh", is written over a horizontal line.

CERTIFICATE

I, Katherine Piatt, am Business Operations Manager for the Management Trust that operates certain assets and spectrum holdings for four cellular market areas discussed further below. Pursuant to 47 U.S.C. § 222; 47 C.F.R. §64.2009 of the Communications Act, I hereby state that I am responsible for company compliance with the FCC's CPNI rules and have personal knowledge that the Trust has established procedures that are adequate to ensure compliance with the Commission's rules governing CPNI (47 C.F.R. 64.2001 *et. seq.*). The Trust's procedures that were in effect as of December 31, 2007, are described in further detail below.

Background. As a condition to its approval of the merger of Dobson Communications Corporation ("Dobson") and AT&T Inc. ("AT&T"), the Commission required that Dobson and AT&T transfer day-to-day control over certain assets and spectrum holdings in four cellular market areas (the "Trust Assets") to the Management Trustee pending divestiture of those assets.¹ Dobson and AT&T entered into short-term, *de facto* transfer spectrum leasing arrangement with the Management Trustee for the cellular, PCS, and AWS spectrum in the four markets, and the Commission has approved those lease applications.² The AT&T/Dobson transaction was consummated on November 16, 2007.

Pursuant to the Preservation of Assets Stipulation and Order ("Stipulation and Order") signed by AT&T, Dobson, and the United States and entered by the U.S. District Court for the District of Columbia, the court approved the appointment of W. Stephen Cannon as the Management Trustee of the Trust Markets. AT&T and the Trustee have entered into a Management Trustee Agreement, as required by the Stipulation and Order, the terms of which will govern the Lessee's management of the assets which ultimately will be divested by AT&T. The leasing arrangement enables the Trustee to exercise *de facto* control over the spectrum on which these assets operate while awaiting divestiture. The Commission has approved the Trustee as the Management Trustee, the terms of the Management Trustee Agreement, and the Trustee's spectrum lease applications.

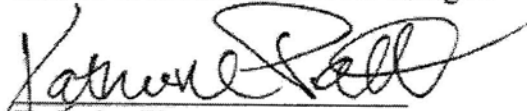
AT&T continues to provide to the Trust certain services pursuant to Section VI.M. of the Stipulation and Order, which includes "billing, customer care, and customer service related functions." AT&T currently provides the Trust with all customer call center support and customer web site account access. However, the Trust also maintains its own employees to operate its retail sales locations.

¹ See *Applications of AT&T Inc. and Dobson Communications Corporation for Consent to Transfer Control of Licenses and Authorizations*, WT Docket No. 07-153, Memorandum Opinion and Order, FCC 07-196 (rel. Nov. 19, 2007) ("Merger Order"). Three of the cellular markets were already subject to divestiture as a condition of the Department of Justice's approval of the proposed merger. See *United States, et al. v AT&T Inc. and Dobson Communications Corporation*, Civil Action No. 07-1952, Final Judgment (filed October 30, 2007).

² See ULS File Nos. 0003228645, 0003228650 (granted Nov. 14, 2007); 0003235628, 000325638, 0003235636, and 0003235641 (granted November 21, 2007).

Certification. I certify to the following:

1. The Trust maintains an employee training program for its employees that includes instruction on when they are and are not authorized to use CPNI. An employee's failure to comply with the CPNI rules is subject to disciplinary action. The training program includes information on potential disciplinary action if the CPNI policy is not followed.
2. The Trust has only operated the systems since November 16, 2007. However, it plans to maintain records of its marketing campaigns for the one year time period as required by the Commission's rules. If the Trust ceases to operate the Trust Assets prior to the one year time period, relevant records will be transferred to the new licensee or spectrum lessee.
3. The Trust has a supervisory approval process in place for any proposed outbound marketing request for CPNI.
4. The Trust has a notification process in place to alert law enforcement, the FCC and affected customers in the event of a CPNI breach.
5. The Trust has procedures to ensure that CPNI is only released to a customer in a retail location after showing valid photo identification.
6. As noted above, the Trust's inbound customer calls and web site account access are provided to the Trust by AT&T pursuant to AT&T's obligation to provide "customer care and customer service related functions" under Section VI. M of the Stipulation and Order. AT&T has provided information to the Trust indicating that as of December 31, 2007, it has processes in place to ensure that: 1) call detail records are not released over the telephone unless the customer provides a pre-established password; 2) call detail records are only mailed to an address that has been associated with the account for thirty days or longer; 3) non-call detail records are only released to a caller that is properly authenticated; 4) on-line passwords can be established; 5) CPNI is only released on-line with the use of a password, and such passwords are not based on the use of readily available biographical information; 6) backup authentication procedures are in place in the case of a lost or forgotten password, and such passwords are not based on readily available biographical information; and 7) customers are notified when a customer initiated password or back-up for forgotten passwords; an on-line account; or the address of record is created or changed.


Katherine Piatt

February 29, 2008